

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed January 15, 2004. In the Office Action, claims 1-33 were rejected under 35 U.S.C. §102(e) as being anticipated by Davis (U.S. Patent No. 6,401,208 B2). Applicants respectfully traverse the rejection the rejection because a *prima facie* case of anticipation has not been established.

In general, as described in the subject application, "relocation" is a process by which addresses within each BIOS module are adjusted based on the particular address location in memory allotted for the BIOS module. Therefore, if relocation is performed on an execute-in-place BIOS module, digital signatures are ineffective. The claimed invention addresses this problem.

Claims 3 and 25 have been cancelled without prejudice and claims 1-2, 4-5, 13, 24, 26 and 31 have been revised. Limitations associated with claims 3 and 25 have been inserted into claims 1 and 24 respectfully, and thus, do not constitute a narrowing of the original claims so that Festo does not apply.

As the Examiner is aware, a *prima facie* case of anticipation requires that each and every limitation of the claimed invention be disclosed, either explicitly or inherently, in a single prior art reference. See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987). With respect to independent claims 1 and 24, Applicants respectfully submit that Davis does not disclose the storage of a *post*-relocation image, namely an image after relocation of the "pre-relocation" image, relocation information, relocation information and a digital signature based on the pre-relocation image. *Emphasis added*. Hence, Applicants respectfully request the Examiner to withdraw the §102(e) rejection pertaining to independent claims 1 and 24 as well as those claims dependent thereon.

With respect to claims 13 and 31, Applicants respectfully submit that Davis does not disclose software modules or the operations of (1) *reconverting a post-relocation image of a digitally signed image back to a pre-relocation image*, the pre-relocation image being an image of a software module prior to relocation where an address with the digitally signed image is changed, or (2) conducting a hash operation on the *reconverted*, pre-relocation image to produce a reconverted hash value. *Emphasis added*. As a result, Applicants respectfully request the Examiner to withdraw the §102(e) rejection pertaining to independent claims 13 and 31 as well as those claims dependent thereon.

With respect to independent claims 6, 17, 21 and 27, Applicants respectfully disagree with the "broadest" meaning of the phrases BRIT, import table & export table as meaning software (firmware) segments inherently linked in post compiled state across various peripheral blocks. Applicants respectfully submit that the "broadest" meaning set forth in the Office Action is unreasonable because it is improper to consider software modules as being equivalent and disclosing the tables as claimed.

In accordance with In re Morris, 44 U.S.P.Q.2d 1023, 1027-1028 (Fed. Cir. 1997), the "PTO applies to the verbiage of the proposed claims the broadest reasonable meaning of the

words in their ordinary usage as they would be understood by one of ordinary skill in the art, *taking into account whatever enlightenment by way of definition or otherwise that may be afforded by the written description contained in the applicant's specification.*" Emphasis added. See also MPEP § 2111. Herein, the general association of firmware to tables is unreasonable and reconsideration of the §102(e) rejection is respectfully requested.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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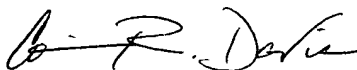
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